

## Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 243058  
ORIGIN EUR-12

INFO OCT-01 AF-10 ISO-00 L-03 EB-08 IO-13 CIAE-00  
COME-00 INR-07 LAB-04 NSAE-00 SIL-01 OMB-01  
TRSE-00 DODE-00 PA-01 USIA-06 PRS-01 SP-02 /070 R

DRAFTED BY: EUR/RPE:RSGELBARD  
APPROVED BY: EUR/RPE:PLLAASE  
L/AF:MMATHESON (INFO)  
L/EB:SBENSON  
EB/IFD/OIA:RKAULARICH  
AF/S:DKEOGH  
UN/P:DKURTZER  
L/NEA:WRHODES

-----026382 091831Z /41

R 090234Z OCT 77  
FM SECSTATE WASHDC  
TO AMEMBASSY BRUSSELS  
AMEMBASSY PARIS  
INFO AMEMBASSY DAR ES SALAAM  
AMEMBASSY LONDON  
AMEMBASSY BONN  
AMEMBASSY THE HAGUE  
AMEMBASSY LUXEMBOURG  
AMEMBASSY ROME  
AMCONSUL JOHANNESBURG  
AMEMBASSY COPENHAGEN  
AMEMBASSY DUBLIN  
AMEMBASSY PRETORIA  
USMISSION USUN NEW YORK  
AMEMBASSY LUSAKA

LIMITED OFFICIAL USE STATE 243058

BRUSSELS ALSO FOR USEEC, PARIS FOR USOECD

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 243058

E.O. 11652: N/A

TAGS: EINV, SF,ELAB, EEC, PFOR

SUBJECT: EC CODE OF CONDUCT FOR FOREIGN FIRMS OPERATING  
IN SOUTH AFRICA  
REF: A) STATE 22898 B) BRUSSELS 12714 C) BRUSSELS 12269

1. DEPARTMENT IS PRESENTLY EXAMINING EC CODE IN LIGHT OF PREVIOUSLY STATED U.S. POSITIONS AND INITIATIVES (REF A). SEVERAL POINTS REMAIN UNCLEAR THAT WE HOPE ACTION ADDRESSEES CAN HELP CLARIFY. EMBASSY BRUSSELS SHOULD DO SO WITH BELGIANS IN THEIR EC PRESIDENCY CAPACITY.

2. MOST IMMEDIATE QUESTION, HOWEVER, CONCERNS PROCEDURAL ISSUE OF EC'S INTENTIONS ON FOLLOWING THROUGH WITH CODE IN OECD. EC PRESS RELEASE AND NEWS REPORTS SAY CODE QTE WILL BE SUBMITTED TO ... OECD IN AN ATTEMPT TO GAIN BROADER SUPPORT FOR SIMILAR STIPULATIONS FROM OTHER WESTERN NATIONS UNQTE. REFTEL B (PARAS 1 AND 2) REFERS TO CURRENT BELGIAN THINKING THAT GOB MAY LEAVE SPECIFIC HANDLING OF CODE WITHIN OECD TO DISCRETION OF BELGIAN OECD PERMREP AND THAT THERE MAY NOT BE ATTEMPT TO ADOPT CODE IN OECD. WE ARE INTERESTED IN HAVING MORE PRECISE IDEA OF EC INTENTIONS, INCLUDING WHETHER EC WILL ASK FOR FORMAL OECD ENDORSEMENT OF CODE, OR AS QUOTED ABOVE IN PRESS RELEASE, ACCEPT "SIMILAR STIPULATIONS". IF THEY INTEND TO PRESS FOR FORMAL OECD AGREEMENT

ON THE CODE, AN ADDITIONAL QUESTION IS WHETHER THEY WILL WANT ENDORSEMENT OF CODE AS IT STANDS OR WILL BE PREPARED TO CONSIDER CHANGES PROPOSED BY OTHER OECD MEMBER STATES. IT WOULD ALSO BE HELPFUL TO KNOW VIEWS OF TOP LEVELS OF OECD SECRETARIAT ON THIS.  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 243058

3. DEPARTMENT WOULD ALSO LIKE CLARIFICATION CONCERNING COMPLIANCE PROVISIONS OF CODE AND WHETHER IT WILL TRULY BE VOLUNTARY. REPORTS THUS FAR CALL CODE VOLUNTARY, BUT LAST PROVISION (REFTEL C, PARA 7) - REPORTS ON THE IMPLEMENTATION OF THE CODE OF CONDUCT - SEEMS TO IMPLY SOMETHING MORE. THIS IS PARTICULARLY SO IN PART C OF THAT SECTION, CALLING FOR GOVERNMENT REVIEW OF IMPLEMENTATION OF CODE.

4. ON MORE TECHNICAL LEVEL, WOULD LIKE TO KNOW HOW COMMUNITY DEFINES "SUBSIDIARIES, BRANCHES OR REPRESENTATION"; AND MORE SPECIFIC DEFINITION OF "INTERNATIONALLY ACCEPTED PRINCIPLES" REFERRING TO COLLECTIVE BARGAINING (REFTEL C, PARA 1D).  
CHRISTOPHER

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** STANDARDS, REGIONAL ORGANIZATIONS, BUSINESS FIRMS, FOREIGN INVESTMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 09-Oct-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE243058  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** EUR/RPE:RSGELBARD  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770369-0835  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19771078/aaaacobz.tel  
**Line Count:** 109  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 763b2633-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN EUR  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 STATE 22898, 77 BRUSSELS 12714, 77 BRUSSELS 12269  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 29-Nov-2004 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 977787  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** EC CODE OF CONDUCT FOR FOREIGN FIRMS OPERATING IN SOUTH AFRICA  
**TAGS:** EINV, ELAB, PFOR, SF, EEC  
**To:** BRUSSELS PARIS  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/763b2633-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009